

9-28-01

A

Please type a plus sign (+) inside this box ☐

Attorney Docket P3121R1

PATENT

EL 889332604: Express Mail Number

September 26, 2001: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
 Assistant Commissioner of Patents
 Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Audrey Goddard
 Paul J. Godowski
 Austin L. Gurney
 Colin K. Watanabe
 William I. Wood

Title: **NOVEL POLYPEPTIDES HAVING SEQUENCE SIMILARITY TO CYTOKINE RECEPTORS
 AND NUCLEIC ACIDS ENCODING THE SAME**

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☒ This application claims priority under 35 U.S.C. § 119(e) of U.S. provisional Application Serial No. 60/191,015 filed on March 31, 2000, and claims priority under 35 U.S.C § 119 (a)-(d) of PCT Application Nos. PCT/US00/08439 filed March 30, 2000 and PCT/US01/06520 filed February 28, 2001, and claims priority under 35 U.S.C. § 120 of U.S. Application Serial No. 09/941,992 filed August 28, 2001 the entire disclosures of which are hereby expressly incorporated by reference.
- ☐ This is a ☐ continuation-in-part ☐ continuation ☐ divisional application claiming priority to application Serial Number __, filed __, the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

81 pages of specification
5 pages of claims
1 page(s) of abstract
4 sheet(s) of drawings
☒ formal ☐ informal

09/26/01
 1002 U.S. PTO
 09/964994

1002 U.S. PTO
 09/964994
 09/26/01

09/26/01 09/964994 1002 U.S. PTO

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
 X An unassigned declaration of the inventors is enclosed. A signed declaration of the inventors will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
 A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
 A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)
 X An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [X] will follow.

(for cont./div.)
 The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

 Cancel in this application original claims ___ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

 A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119

 Amend the specification by inserting before the first line the sentence:

--This is a

 non-provisional application
 continuation
 divisional
 continuation-in-part

of co-pending application(s)

 Serial No. _ filed on __, which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120. --

_____ International Application _ filed on __ which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--

_____ provisional application No. _ filed __, the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	52	- 20 =	32	X \$18.00	\$576.00
Independent Claims	22	- 3 =	19	X \$80.00	\$1520.00
<u>X</u> Multiple dependent claim(s), if any				+ \$270.00	\$270.00
Filing Fee Calculation					\$3,076.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$3,076.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

_____ A petition, fee and/or response has been filed to extend the term in

P3121R1-464360

A copy of the petition for extension of time in the **prior** application is attached.

X Address all future communications to:

Respectfully submitted,
GENENTECH, INC.

By:

Telephone No. (650) 225-4563



09157

PATENT TRADEMARK OFFICE

Journal of the American Medical Association, Vol. 68, No. 10, May 19, 1927, pp. 10-11.